

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RONALD WAYNE WILLEY,

Petitioner,

v.

JEROME PRICE, Warden,

Respondent.

Case No. 15-cv-04268-HSG (PR)

**ORDER DENYING MOTION FOR
LEAVE TO AMEND PETITION**

Re: Dkt. No. 13

This habeas case was opened when petitioner filed a petition for a writ of habeas corpus, on September 3, 2015, attacking state court convictions that occurred in 1993. On December 16, 2015, the Court dismissed this case, noting it was a successive petition and petitioner had not obtained an order authorizing the filing from the Ninth Circuit. *See* 28 U.S.C. § 2244(b)(3)(A) (habeas petitioner may not file second or successive petition unless United States Court of Appeals issues order authorizing filing).


On December 18, 2015, petitioner filed a motion for leave to amend the petition to submit new documentary evidence. The motion is dated December 14, 2015, which means it was prepared prior the Court's December 16, 2015 order of dismissal.

Petitioner's motion for leave to amend is DENIED. Because the petition was dismissed as successive, amendment to submit new evidence would be futile. Petitioner is reminded that he may file an "Application for Leave to File Second or Successive Petition" in the Ninth Circuit.

This order terminates Docket No. 13.

IT IS SO ORDERED.

Dated: 12/29/2015


HAYWOOD S. GILLIAM, JR.
United States District Judge